

IN The UNITED STATES DISTRICT COURT  
FOR The MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

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U.S. DISTRICT COURT  
MIDDLE DISTRICT  
ALABAMA

Robert Lee Allen,  
PLAINTIFF,

V.

Case NO. 2:07-CV-90-ID-WC

Willie VAUGHNER, et al.,  
defendant's.

MOTION to Object to AN ORDER GRANTED IN  
THE INSTANT CASE IN THE REFERENCE TO THE  
 NEGLIGENCE AN CRIMINAL ACTIVITY OR TO  
 RECONSIDER AT A LATER DATE IN CASE

COMES NOW, the PLAINTIFF, Robert Lee Allen, pro se,  
IN the Above Styled Cause And would Move the  
Honorable Court to Reconsider And to Grant  
PLAINTIFF'S MOTION to Amend with Negligence AN  
Criminal Activity, IN Support OF thereof  
would show this Honorable Court as follows;

1.) IN the INSTANT case, the PLAINTIFF Avers to

this Honorable Court that he has pleaded specific facts, And that he has not Alleged mere Allegations.

2.) The PLAINTIFF will Demonstrate that at the time of the Alleged Violation, the CONTOURS of the Allegedly Violated Rights were:

"Sufficiently Clear that A Reasonable official would understand that what he/she was doing Violate(d) the laws and that particular Right."

3.) The plaintiff would STATE that by the time that he is done pleading this case, that he feels that he will have done just that, that he will have demonstrated that the defendant's should have Reasonably known what the laws were and what Rights he was Violating or she was violating the plaintiff's fourth, fourteenth Amendments due to him by the law and U.S. Constitution.

4.) IN the INSTANT case plaintiff was held at Tazer Gun point for no cause And led to A lock down cell And lock down for (8) days But before plaintiff was put in A lock down cell he Ask several times over twenty (20) Times

When he was being lockdown Robert Lee Allen  
 Recieve no Answer from the Lt. Jeanette Cottrell  
 or From Detective Lenny Lee or SGT. Lakesha Lawson  
 Bolling, PLAINTIFF, then Ask could he take his  
 legal mail And Documents he had Recieved  
 From the UNITED STATES DISTRICT Clerk office  
 that was sitting on top of his belongings that he  
 was told to pack up at Tazer point-pointed  
 At him the whole while this incident took place  
 And led to lockdown cell while At the Entrance  
 of lockdown cell door ~~Det~~ Detective Lenny Lee said He  
 was going to shoot me if I didn't go inside  
 now, And Stop Asking for my legal mail or Anything  
 else so I went inside And Lt. Jeanette Cottrell  
 lock the door by shutting it behind me.

5.) PLAINTIFF, Robert Lee Allen, Watch through lockdown  
 cell window and watch Lt. Jeanette Cottrell, SGT. Lakesha  
 Lawson Bolling. Lt. Jeanette Cottrell pick up Robert Allen  
 Belongings that was sitting on the floor in the Booking Room  
 with his legal mail sitting on top And walk to a  
 Room where you see the nurse at, proceeded to look  
 through all of Robert Lee Allen personal And legal Documents  
 & mail I could hear A lot of talking And rummaging  
 going on And then After About 10 minutes they

Came back into the booking Area in view And sat my personal and legal mail down on the Booking counter I could see clearly that my "stuff" personal property was A mess After sitting down Robert Allen personal property Lt. Jeanette Cottrell And SGT. Lakesha Lawson Bolling took off plastic ~~la~~ latex Gloves And put them in the garbage can by the Exit door leading to the Sally port Area.

6.) UNDER the Circumstances And how it was executed the lockdown And search of Robert lee Allen property was not done legally And thus everything that occurred with the Search And lockdown was ~~in~~ A Violation of the plaintiffs Constitutional Rights, which is indeed A MATTER For this Honorable Court to Decide

7.) PLAINTIFF was Released After 8 days of being in lockdown with no probable cause, but to deprive him of his Rights thats guaranteed by law.

8.) PLAINTIFF Never Recieve no paperwork of why he was lock down, And the Search of his property

A) Robert lee Allen was given his legal mail & documents And personal property (2) two hours later (that day.)

- 9.) PLAINTIFF NEVER Recieve a hearing.
- 10.) NEVER Recieve NO Explanation FOR being IN lockdown but was shown by defendant's Action when they search property belonging to Plaintiff.
- 11.) NO Disiplinary paper's were issued to plaintiff.

Wherefore, the plaintiff would further Respectfully Request that this Honorable Court GRANT this Motion AN let this case proceed, And Let the PLAINTIFF Start his Discovery so that he might be Able to provide And prove his case further, through the documents that he would Request And the Answer's that the defendant's And witnesses would thus ultimately provide to him through And by Discovery.

### CERTIFICATE OF SERVICE

I hereby Certify that I have served a Copy of the Above And Foregoin UPON the Honorable DeBRA Hackett, the Clerk by placing a copy of Same IN the U.S. MAIL, postage prepaid, ON this the 17<sup>th</sup> day OF APRIL 2007 (DARYL L. MASTERS served)

Robert Allen (BAR NO. MAS018) Prose Robert Allen  
 136 N. Court St 4-17<sup>th</sup> 2007 Robert Allen  
 Prattville AL, 36067-3002  
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Robert Allen  
Muttanga Metro Jail  
36 N. Court STREET  
Prattville AL 36067-3002

TO: the CLERK, DeBRA Hackett  
P.O. BOX 711  
Montgomery AL 36101-0711

